

FORM PTO-1390 (Modified)  
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

112740-391

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

10/019328

INTERNATIONAL APPLICATION NO  
PCT/EP00/04355INTERNATIONAL FILING DATE  
15 May 2001PRIORITY DATE CLAIMED  
24 June 1999

TITLE OF INVENTION

PROTOCOL DEVICE IN A PROTOCOL SYSTEM FOR TRANSMITTING MESSAGES

APPLICANT(S) FOR DO/EO/US

Klaus David Gradischnig et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31)
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau)
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4)
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210)

## Items 13 to 20 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☒ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4)
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail
23. ☐ Other items or information

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.53) <b>10/019328</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP00/04355</b>		ATTORNEY'S DOCKET NUMBER <b>112740-391</b>													
<b>24. The following fees are submitted:</b> <b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :</b> <div style="margin-left: 20px;"><input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO . . . . . <b>\$1040.00</b> <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . . . . <b>\$890.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . . <b>\$740.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . . <b>\$710.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . . <b>\$100.00</b></div> <div style="text-align: right; margin-right: 50px;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>				<b>CALCULATIONS PTO USE ONLY</b>													
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				<b>\$890.00</b>													
<table border="1" style="width:100%; border-collapse: collapse;"><thead><tr><th style="width:20%;">CLAIMS</th><th style="width:20%;">NUMBER FILED</th><th style="width:20%;">NUMBER EXTRA</th><th style="width:20%;">RATE</th></tr></thead><tbody><tr><td>Total claims</td><td>3 - 20 =</td><td>0</td><td>x \$18.00</td></tr><tr><td>Independent claims</td><td>1 - 3 =</td><td>0</td><td>x \$84.00</td></tr></tbody></table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	3 - 20 =	0	x \$18.00	Independent claims	1 - 3 =	0	x \$84.00	<b>\$0.00</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE														
Total claims	3 - 20 =	0	x \$18.00														
Independent claims	1 - 3 =	0	x \$84.00														
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>													
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$890.00</b>													
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27) The fees indicated above are reduced by 1/2.				<b>\$0.00</b>													
<b>SUBTOTAL =</b>				<b>\$890.00</b>													
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				<b>\$0.00</b>													
<b>TOTAL NATIONAL FEE =</b>				<b>\$890.00</b>													
Fee for recording the enclosed assignment (37 CFR 1.21(h)) The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>													
<b>TOTAL FEES ENCLOSED =</b>				<b>\$890.00</b>													
				Amount to be:	\$												
				refunded	\$												
				charged	\$												
<div style="margin-left: 20px;"><p>a. <input checked="" type="checkbox"/> A check in the amount of <b>\$890.00</b> to cover the above fees is enclosed</p><p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees A duplicate copy of this sheet is enclosed.</p><p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>02-1818</b> A duplicate copy of this sheet is enclosed.</p><p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p></div> <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive 37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p> <p>SEND ALL CORRESPONDENCE TO:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"><b>William E. Vaughan (Reg. No. 39,056)</b> <b>Bell, Boyd &amp; Lloyd LLC</b> <b>P.O. Box 1135</b> <b>Chicago, Illinois 60690-1135</b></div>																	
				<div style="text-align: center;"> SIGNATURE</div> <div style="text-align: center;"><b>William E. Vaughan</b> NAME</div> <div style="text-align: center;"><b>39,056</b> REGISTRATION NUMBER</div> <div style="text-align: center;"><b>December 21, 2001</b> DATE</div>													